

United States Court of Appeals
For the Ninth Circuit

OGC
15 Apr.

18 June

Eckberg

v.

United States, et al.

Civil Action No. S-76-53

Motion to Proceed on Appeal

In Forma Pauperis

Pursuant to Rule 24 of the Federal Rules of Appellate Procedure, plaintiff and appellant, David A. Eckberg, hereby moves the court for leave to proceed with his appeal in forma pauperis.

Whereas the plaintiff's request to proceed on appeal was denied by the District Court on June 2, 1976; and whereas he takes issue with that decision and believes he is entitled to redress as a pauper; therefore the plaintiff moves this court for an order allowing him to proceed with his appeal in forma pauperis.

David A. Eckberg
David A. Eckberg
P.O. Box 6443
San Francisco, California
94101

It is hereby adjudged, declared, and decreed that the above named plaintiff and appellant, having shown good cause, may proceed with his appeal in forma pauperis.

(SEAL)

OGC

OGC Has Reviewed

United States Appellate Court Judge

1 I do hereby swear to these facts.
2
3

4 *David A. Eckberg*
5 David A. Eckberg
6

7
8 Subscribed and sworn before me ^{May 25}~~April~~, 1976
9

10 *Mattie S. Cole*
11 Notary Public



STATINTL

David A. Eckberg
General Delivery
San Francisco, California
94101

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76-9015/4

Rec'd 15 Apr 76

F OJC

United States District Court
Eastern District of California

Eckberg

v.

Civil Action No. S-76-53

United States, Ford, Rockefeller,
Kissinger, Rumsfeld, Colby, Central
Intelligence Agency, Hoag Memorial
Hospital, Mihordin, Patterson

Interrogatories

To: The Attorney of Charles W. Patterson

The plaintiff requests that the defendant answer under oath, in accordance with Rule 33 of the Federal Rules of Civil Procedure, the following interrogatories.

1. What is your full name?
2. Where is your residence?
3. What is the name of your attorney?
4. List all assets in which you have an interest and their appraised value (excluding necessities).
5. What is your occupation?
6. What is your educational background and experience?
7. Are you employed by the Central Intelligence Agency?
8. In what capacity are you employed and for what length of time have you been so employed?
9. When and under what circumstances did you first come to learn of the plaintiff? What was said?
10. Were you told that the plaintiff had witnessed Gerald Ford being given information which could only have come from a bugging and burglary?
11. Were you asked to examine the plaintiff?
12. Who asked you to examine the plaintiff and for what reason?
13. What were you told concerning the plaintiff prior to that examination?
14. Were you also told to whisper to the plaintiff?
15. How extensive was your examination of the plaintiff?

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Executive Registry

76-9015/2

OGC

David A. Eckberg
General Delivery
San Francisco, California
94101

United States District Court
Eastern District of California

Eckberg

v.

Civil Action No. S-76-53

United States, Ford, Rockefeller,
Kissinger, Rumsfeld, Colby, Central
Intelligence Agency, Hoag Memorial
Hospital, Mihordin, Patterson

Affidavit of Service.

State of California

ss.

County of Sacramento

David A. Eckberg, being duly sworn, says that he served the
attached interrogatories upon defendant Donald Rumsfeld on April 5, 1976
by mailing a copy to him at the Department of Defense, Washington D.C..

David A. Eckberg
David A. Eckberg

Subscribed and sworn to before me April 5, 1976.

[Signature]
Notary Public

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rec'd 1 April 76

United States District Court
Eastern District of California

Eckberg

v.

Civil Action No. S-76-53

United States, Ford, Rockefeller,
Kissinger, Rumsfeld, Colby, Central
Intelligence Agency, Hoag Memorial
Hospital, Mihordin, Patterson

Interrogatories

To: The Attorney of William Colby

The plaintiff requests that the defendant answer under oath, in accordance with Rule 33 of the Federal Rules of Civil Procedure, the following interrogatories.

1. What is your full name?
2. Where is your residence?
3. What is your occupation and for how long have you been so employed.
4. When and under what circumstances did the Central Intelligence Agency originally place the plaintiff under observation?
5. On or about September 25, 1975 did you place a call to Jerry Brown concerning the plaintiff? If so, for what purpose?
6. What prompted this phone call?
7. What was the gist of this conversation?
8. Did you tape this conversation? If so, who has the tape?
9. Is the C.I.A. frequently involved in internal matters within the United States?
10. Do you always ask newly elected officials if there is anyone they would like killed?
11. By what means and employing what methods did you observe the plaintiff?
12. Through which countries was he followed?
13. Did you give the order to have the plaintiff killed when he was in Europe? If not, did you consider it?
14. Is there an established procedure for the murdering of United States Citizens at home or abroad?

15. Is there an established method for murdering United States citizens?
16. How frequently and on what occasions have these methods been employed?
17. What is the chain of command within the C.I.A.?
18. Did Gerald Ford ever circumvent these channels? If so, on what occasions?
19. What is the normal procedure for the National Security Council or its members to draw upon the services of the C.I.A.?
20. Did you participate in the National Security Council discussions concerning the plaintiff? If so, on what dates? What was your position?
21. If the plaintiff's case was not declared National Security until November 1975, who authorized your proposal for the plaintiff's murder in September 1975?
22. How did you vote in the N.S.C. on this matter? How many votes have been taken? Have these votes been reconsidered? Have any been changed?
23. Did you participate in the withholding of information from the 40 Committee on this matter? Did you have any knowledge concerning it?
24. Who authorized the withholding of information from the 40 Committee?
25. Were you aware that information had been withheld from the 40 Committee?
26. How many persons are employed by the C.I.A.?
27. Are they given a psychological and I.Q. test?
28. Is it true, if they are healthy and intelligent they are rejected?
29. Are there any notes, minutes, tapes, or other documents of the National Security Council meetings on this matter? If so, who is in possession of this material?
30. Do you have or have you made any personal notes, tapes, letters, and other documents which refer or relate to the plaintiff or this case?
31. State the full extent of your knowledge as to conception of, planning, authorization, and participation in each of the following;
 - a. Threatening the plaintiff on the evening of September 29, 1975 in the White House Bar, located on Highway 1 in Laguna Beach, California?
 - b. Blacking out the plaintiff's news.
 - c. Preventing others from associating with the plaintiff?
 - d. Searching and confiscating the plaintiff's mail?
 - e. Operating on the brains of plaintiff's relatives, holding them hostage, beating and intimidating them.

- f. Transporting under duress, drugging and rapeing JoAnn Saunders.
- g. Interfearing in plaintiff's attempts to retain council.
- h. Pulling attorney's, newsmen, and politicians teeth to gain their cooperation.
- i. Following and hounding the plaintiff.
- j. Dampening the rug which the plaintiff was to sleep on in his newly rented apartment at 1131 Catalina #3 Laguna Beach, California.
- k. Halting the publication of reports of these events.
- l. Operating on all those who spo ke in defense of the plaintiff or who voiced decent.
- m. Murdering and mutilating John Compogenis and John Dow.
- n. Filming tapeing, broadcasting, and producing a commercial film of the plaintiff.
- o. Placing miniature television cameras everywhere the plaintiff went or wa likely to go.
- p. Attempting to murder the plaintiff with a poison dart gun.
- q. Giving the plaintiff drugs in his cigarettes, food and water to cause him to suffer a heart attack i.e. murder.
- r. Transplanting the plaintiff's brain and using his body to murder Edward Kennedy.
- s. Forcing the plaintiff into a mental hospital.
- t. Attempting to drive the plaintiff insane by such means as bouncing a rubber ball over his head and playing chimes in the middle of the night.
- u. Giving the plaintiff a drug to cause his hair to fall out.
- v. Giving restaurants a drug to place in plaintiff's food if he should patronise their business.
- w. Preventing plaintiff from obtain ing his hand gun.
- x. Enforming the police and others in the area of Orange County California that there existed a state of undeclared marshall law.
- y. Not permitting the plaintiff to sleep.
- y1. Attempting to hypnotise the plaintiff.
- y2. Encouraging insurrection.
- y3. Monitering the plaintiff's brain waves and publishing his most private thoughts to millions.

- y4. Giving the plaintiff a drug causing him to salivate.
- y5. Running homosexuals by the plaintiff.
- y6. Murdering the plaintiff with a smile on his face.
- y7. Murdering the plaintiff while engaging in sexual relations.
- y8. Murdering the plaintiff with a female agent known as the black widow.
- y9. Poisoning the plaintiff for laughing, smiling, thinking, or use of figureative language.
- y10. Giving the plaintiff a drug preventing bowel movements.
- y11. Placing pins in the plaintiff's pillow.
- y12. Giving the plaintiff a drug causing bowel movements to become painful.
32. List the dates in which any and all subjects involving this case were discussed within the National Security Council.
33. What is the extent of your personal assets?
34. Who conceived of and authorized the producing of films and tapes using characters resembling the plaintiff to portray him in a false light?
35. Who is in possession of these tapes and films?
36. Did you promise Mr. Ford that the plaintiff would be killed?
37. In what manner and on what occasions have you attempted to implement this decision or promise?
38. Did you approve the kidnapping of the Joint Chiefs of Staff? Who authorized it and for what reason?
39. Describe what actions were taken to publicly discredit the plaintiff including radio and television broadcasts.
40. Did you promise certain members of Congress that you would make them President in exchange for their cooperation in handling or containing the plaintiff?
41. Does the C.I.A. make donations to political candidates? Who authorized this? What criterion is used in determining who receives donations?
42. Did you always plan to transplant the plaintiff's brain?
43. Isn't it true at one point you planned to murder the plaintiff and burn his body without transplanting his brain?
44. When did you become aware the plaintiff was in possession of information

- that the C.I.A. was responsible for the assassination of President Kennedy?
What was your reaction? How did this effect your subsequent actions?
- 44a. Were you also aware the plaintiff was in possession of information that the C.I.A. had stolen the brains of Martin L. King and Robert Kennedy? How did this effect you?
45. What is the name of your personal attorney?
46. Were you aware of the plan to transplant the plaintiff's brain into the body of a transvestite and or a pig? Did you approve this plan?
47. Why have you continued to block out the plaintiff's news and confiscate his mail? Who has authorized this?
48. Who is now in control of your organization?
49. Do you place your loyalty to any individual above that owed to your country?
50. Do you personally admire the K.G.B.?
51. Did you confiscate all books in the area of Laguna Beach, California which were written by Victor Marchetti and concerned the C.I.A.?
52. Who authorized this censorship and by what authority?
53. Where was your base of operations during these incidents in Laguna Beach, California? Where were your supporting bases?
54. Did you authorize such operations as surrounding the plaintiff with physically deformed persons? For what purpose?
55. Did you threaten to transplant the plaintiff's brain into a deformed body if he were not to cooperate with you? Did you authorize it?
56. Did you threaten to intentionally deform the plaintiff's body if he were not to cooperate with you? Did you authorize such threats?
57. Did you ~~offer~~ offer certain individuals a brain transplant if they were to kill the plaintiff? Did you authorize such acts?
58. Did you authorize the conducting of psychological tests while the plaintiff was at Hoag Memorial Hospital? Were the results of these tests later used in attempts to intimidate him?
59. Did you authorize the design for a new flag?
60. Is it true this design for your flag is the same one used by Hughes Air West?
61. Is it true Hughes is a front for the C.I.A. and that the real

Howard Hughes is dead and his brain is in a bottle in Hoag Hospital?

62. What was your reaction when you found plaintiff was aware of this?

How did it effect your subsequent conduct directed toward him.

63. What was your reaction when you learned the plaintiff was in possession of information which implicated the C.I.A. in the murder of Robert Kennedy? How did this effect your conduct as directed toward the plaintiff?

64. What was your reaction when you learned the plaintiff was in possession of information involving the C.I.A. in the murder of Lee Harvey Oswald, Jack Ruby.

65. What was former defense Secretary Schlesinger's position on the plaintiff?

66. What was your reaction when you learned the plaintiff was in possession of information relating to ~~extra~~ visitors from space?

67. When the plaintiff sought to report your conspiracy at Camp Pendelton what actions did you take?

68. Did your agents follow him to Camp Pendelton with his brother and brother-in-law in hopes he would run for the border and you could then kill all three of them?

69. Did you approve of the plan whereby the plaintiff would be beaten to death in Laguna?

70. What instructions were given to those agents who occupied Laguna Beach in the event the plaintiff would attempt to escape?

71. Did you prevent or interfere with the flow of traffic into the area of Laguna Beach, California during plaintiff's stay there?

72. When the plaintiff attempted to contact the state Attorney General office by phone, did your agents interfere with this call?

73. How did you gain the cooperation of the plaintiff's relatives in your attempts to drive the plaintiff insane, have him committed and operate on him?

73. Did you ever place the plaintiff's relatives in a state of suspended animation?

74. How many times and on what dates did your agents burglarize the plaintiff

temporary or permanent residence? For what reasons?

75. Did you authorize a group of individuals to gather in the high school track in Laguna Beach and chant "We want your brain." as the plaintiff lay paralyzed from the effects of a drug known as acylant?
76. Whose idea was it to encourage a civil war? Did you approve? In what way was the plaintiff used in this scheme? As a hostage?
77. Did you approve of the actions whereby relatives of deceased individuals who had donated their bodies to Hoag Hospital were encouraged to view and study the plaintiff as a possible recipient of those bodies?
78. Did you approve of the plan whereby dummies dressed to appear as plaintiff's parents who had been killed, were placed in the back of a taxi and driven around in pursuit of the plaintiff?
79. Did you authorize C.I.A. Agents to tell the plaintiff they would let him kill Ford?
80. Did you or your agents threaten to kill the plaintiff at the first sign of a rescue attempt?
81. What precautions were taken to prevent the plaintiff from leaving the area of Laguna Beach, California by either land, sea or air?
82. Since January of 1976 have you continuously surrounded the plaintiff with persons who resembled individuals who plaintiff had come into contact with at various times throughout his life? For what purpose?

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David A. Eckberg
General Delivery
Sacramento, California
95814

Exec Registry

76-9015

ORIGINAL
FILED

MAR 22 1976

CLERK, U. S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BY _____
DEPUTY CLERK

United States District Court
Eastern District of California

Civil Action No. S-76-53
Notice of Motion and
Motion for Change of
Venue.

Eckberg
v.
United States, Ford, Rockefeller,
Kissinger, Rumsfeld, Colby, Central
Intelligence Agency, Hoag Memorial
Hospital, Mihordin, Patterson.

Please take notice that on the 19th day of April 1976 at 2 p.m.
in courtroom No. 1 of the Federal Court Building, Sacramento, California
the undersigned will move this court to transfer this case pursuant
to 28 USC 1404 (a) to the Northern District of California located in
San Francisco, for the following reasons:

1. Plaintiff is establishing his residency in San Francisco.
2. The defendant government has offices established in San Francisco.
3. Some of the incidents set forth in the plaintiff's complaint
occurred within the northern district of California.
4. The plaintiff has claims pending before the City, County and State
Government and it's employees whose offices are located in
Sacramento. Plaintiff believes and alleges that because of these
claims his case may be prejudiced if tried in this district.
Furthermore, plaintiff's safety and well being is in jeopardy by
his presence in this District.

Therefore, for the convenience of parties, and the conduct of
litigation in the interests of justice, the plaintiff moves for a
change of venue.

David A. Eckberg
David A. Eckberg
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Sacramento California
95814

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